

REMARKS

Applicants acknowledge with appreciation allowance of claims 35-40.

Claims 33 and 47 have been amended to correct errors. Claim 33 has been amended to recite the limitations of claims 10 and 22 as originally intended. Claim 47 has been amended to correct an obvious numbering error pointed out by Examiner. No new matter has been added.

Rejection under 35 USC §112

Claims 12-34, 41-42, 45-49 are rejected under 35 USC §112, first paragraph in that the relative composition of the electrodes is not disclosed in the specification. Applicants traverse the rejection.

The claims referenced above recite the limitation that the electrodes comprising, in part, a device for detecting ionizing radiation, are compositionally alike. Since the electrodes can be made of a number of materials (cf. claim 13) this limitation was added to clarify that the electrodes individually are not of claimed dissimilar materials. Support for the use of compositionally alike electrode materials can be found in the Example appearing on pp. 10-11 of the specification.

Applicants request reconsideration and allowance of claims 12-34, 41-42, 45-49 rejected under 35 USC §112.

Rejection under 35 USC §102

Claims 1-3, 5-6, 8-11 and 43 are rejected under 35 USC §102(a) as being anticipated by Ikeuchi (6,524,760). Applicants traverse the rejection.

Ikeuchi is drawn to the electrophotographic recording of images and, more particularly, to an image receiving sheet and recording process for use in electrophotographic recording of images (col. 2, 5-40). The image receiving sheet comprising a substrate, and a receptor layer having a binder resin, wherein the image receiving sheet provides for recording by transfer of visible images formed by toner development of electrostatic latent images (col. 3, 10-17). The receptor layer can contain

either an organic filler or inorganic filler, or both wherein the organic filler includes fine particles having a size in the range 3-20 μm . In order to prevent electrification and improve toner fixing ability a resistance control layer positioned at the outermost layer of the image receiving face or between the receptor layer and substrate can be provided. Resistance control materials to be used in the resistance control layer comprise ion conductive materials, metal fine powders and conductive polymers having conjugation double bonds of pi-electrons (col. 7, 5-15).

Ikeuchi teaches an entirely different invention, an imaging receiving sheet for electrophotographic recording of images, than the instant invention (a material for detecting ionizing radiation), and therefore, does not describe the claimed invention so that the public is in possession of it (the reference is not enabling). Furthermore, Ikeuchi does not disclose each and every element of the claimed invention as required for a finding of anticipation. Nowhere does Ikeuchi disclose or describe the claimed π -conjugated material having an electrical resistivity of at least or greater than 10^9 ohm-cm. Rather, Ikeuchi describes the image receiving sheet, of which the resistance control layer is one component (cf. discussion above), as having a surface resistivity of 10^8 to 10^{13} Ω/sq (col. 12, 5-12). The electrical properties of the image receiving sheet are characterized by surface resistivity (ohm/sq), whereas the claimed material is characterized by a volume resistivity (ohm-cm). Thus, the fact that the value of the electrical resistance of the claimed π -conjugated material is within the range of surface resistivity of the image receiving sheet disclosed by Ikeuchi is moot; the two cannot be compared, a priori. Ikeuchi is silent as regards the electrical properties of the resistance control layer comprising ion conductive materials, metal fine powders and conductive polymers having conjugation double bonds of pi-electrons. The rejection is unsupported by the cited reference.

Applicants having shown that the cited reference, Ikeuchi, clearly does not anticipate the claimed invention, request reconsideration and

withdrawal of the rejection of claims 1-3, 5-6,8-11 and 43 under 35 USC §102.

Rejection under 35 USC §103

Claim 7 is rejected under 35 USC 103(a) as being unpatentable over Ikeuchi in view of Friend (5,523,555). Applicants traverse the rejection.

Ikeuchi teaches an image receiving sheet for the electrophotographic recording of images while Friend teaches a photo detector device comprising a conjugated polymer material disposed between first and second electrodes having different work functions.

Insofar as the combination of Friend and Ikeuchi, Ikeuchi is directed to entirely different invention than either claimed or taught by Friend. There is neither suggestion in either Friend or Kishimoto that they be combined nor any motivation for doing so. Moreover, because Friend and Kishimoto are drawn to completely different inventions there is no explanation how an operable combination could be made or would be operative if it could be made.

Claims 47 and 49 are rejected under 35 USC §103(a) as being unpatentable over Ikeuchi in view of Yamamoto (5,206,525). Applicants traverse the rejection.

Ikeuchi is discussed above. Yamamoto teaches a method of controlling the electrical conductivity of π -conjugated molecules by putting individual molecules in excited states through dielectric polarization and a ferroelectric material disposed in close proximity thereto. The argument above applies equally here. Not only are Ikeuchi and Yamamoto directed to two entirely different inventions but also there is no suggestion in either Ikeuchi or Yamamoto that they be combined or any motivation for doing so. Furthermore, because Ikeuchi and Yamamoto are drawn to completely different inventions there is no explanation how an operable combination could be made or would be operative if it could be made.

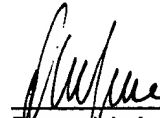
Based on the argument above, Applicants urge that none of the requirements for establishing a prima facie case of obviousness has been met. Namely, that all the claim limitations must be taught or suggested by the prior art and that the prior art must disclose the invention as a whole. Accordingly, Applicants request reconsideration and withdrawal of the rejection of claims 7, 47 and 49 under 35 USC §103.

CONCLUSION

The rejection of claims 12-34, 41-42, 45-49 under 35 USC §112, first paragraph, of claims 1-3, 5-6, 8-11 and 43 under 35 USC §102(a) and of claims 7 and 47 and 49 under 35 USC §103(a) having been overcome, Applicants request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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Application No: 09/863,128

For Applicant: Doty